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Docket No. J&J-2088

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Rao, et al.
Serial No. : 10/052,316
Filed : January 18, 2002
Title : STABILIZATION OF RETINOID COMPOUNDS

Art Unit : 1614
Examiner : Vickie Y. Kim

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April 10, 2003

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or Registered Representative)

(Signature)

April 10, 2003

(Date of Signature)

Honorable Commissioner of Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION

Dear Sir:

In response to the Office Action of April 25, 2003 requesting restriction between Group I (claims 1-10) and Group II (claims 11-20), Applicants hereby provisionally elect Group I with traverse. M.P.E.P. § 803 states that the two criteria for a proper requirement for restriction between patentably distinct inventions are 1) the inventions must be independent or distinct as claimed, and (2) there must be a serious burden on the Examiner if restriction is not required. Here, the Examiner has not shown that there would be a serious burden if restriction were not required. Accordingly, Applicants respectfully request the restriction requirement be withdrawn, and all pending claims be examined. Applicants await an action on the merits.



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